0-Lt-Hitman

JFK assassinations records appeals Harold Weisberg 12/3/79
Privacy claims
Records not provided

Copies of the records to which I refer are not attached. They also are not unique records.

It is the FBI's stout and re-iterated claim that it withholds because it must withhold to avoid defamation, to protect individual rights to privacy.

62-109060-4672 reports that John B. Dauenhauer had been subpoenaed by Jim Garrison, that he was assistant manager of the New Orleans International Trade Mart (Clay Shaw was manager), and that on 12/9/63 the FBI had shown him six photographs of Oswald distributing literature outside the ITM. It is stated with regard to these photographs "that he could not identify any of the individuals in these photographs."

The conclusion of the text is that according to a 1954 New Orleans file the man "is a sex deviate." Reference to HQ 65-62456-232-3 is added in hand.

In 4673, from which a paragraph is withheld, the purpose of showing Dauenhauer these photographs was to see if he could make identification. Here the photographs are described as "of Lee Harvey Oswald and two companions." Now these are 1967 records, not those of 1963. I believe it leaves without doubt, as my prior appeals state, the fact that the FBI knew Oswald had associates it has not identified.

In 5516 there is a Domestic Intelligence Division Informative Note which begins, "Layton Patrick Martens was a homosexual associate of David William Ferrie. ..." I do not recall seeing any records in which this is stated. The basis for this DID note appears to be withheld from what I have been provided from HQ and NO records.

If the FBI can disclose records identifying Dauenhauer as a "sex deviate" and Martens as a homosexual, can it really make any claims to privacy withholdings? In the Dauenhauer case the analyst bracketed the information for withholding, so it is not disclosed by accident.

With regard to the photographs, only two of which were given to the Commission, my request and appeals have been ignored for many years. Can the reason be that some show this other Oswald associate?